

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

KENNEDY XIONG,
Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

Case No.: 1:21-cv-01782-EPG

ORDER GRANTING APPLICATION TO
PROCEED *IN FORMA PAUPERIS*, DIRECTING
SERVICE, AND STAYING CASE PURSUANT TO
GENERAL ORDER 615

(ECF No. 2)

Plaintiff seeks judicial review of an administrative decision of the Commissioner of Social Security denying the plaintiff's claim for disability benefits under the Social Security Act. Pending before the Court is Plaintiff's application to proceed *in forma pauperis*. (ECF No. 2.) Having reviewed the application, the Court finds that Plaintiff has made the requisite showing under 28 U.S.C. § 1915 in order to proceed *in forma pauperis*.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed *in forma pauperis* (ECF No. 2) is GRANTED.
2. The Clerk of Court is directed to issue the following: 1) summons; 2) the Scheduling Order; 3) the Order re Consent or Request for Reassignment; and 4) a Consent to Assignment or Request for Reassignment form.
3. Service on the Commissioner of Social Security shall proceed under the Court's E-Service program as follows: once a summons is issued, the Clerk of Court shall deliver to the

1 Commissioner of Social Security Administration and the United States Attorney's Office at
2 their designated email addresses a notice of electronic filing of the action along with the
3 summons and complaint. The Commissioner has agreed not to raise a defense of
4 insufficient service of process if provided with notice of a complaint as detailed in this
5 order. This order is not intended to prevent parties from making any other motions that are
6 appropriate under the Federal Rules of Civil Procedure.

- 7 4. The parties are hereby notified that, pursuant to General Order Number 615, this action has
8 been stayed pending filing of the administrative record. See E.D. Cal. G.O. No. 615 at 6,
9 10.

10
11 IT IS SO ORDERED.

12 Dated: **December 20, 2021**

13 /s/ Eric P. Grogan
14 UNITED STATES MAGISTRATE JUDGE
15
16
17
18
19
20
21
22
23
24
25
26
27
28